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16 UNITED STATES DISTRICT COURT
17 DISTRICT OF NEVADA
18

19 LESLIE R. BAKKE, an individual, ROBERT
20 HANBLIN, an individual
21 Plaintiff,
22 v.
23 HARTFORD INSURANCE COMPANY OF
24 THE MIDWEST, Does 1 through 10, inclusive,
25 Defendant.

Case No.: 2:23-cv-01098-GMN-EJY

**STIPULATION AND ORDER TO
EXTEND THE CLOSE OF
DISCOVERY, DISPOSITIVE
MOTIONS DEADLINE, AND JOINT
PRETRIAL ORDER DEADLINE**

FIFTH REQUEST

27 IT IS HEREBY STIPULATED AND AGREED, by and between Plaintiff Leslie R.
28 Bakke, through her counsel of record, the law firm of Sidran Law Corp and Defendant

Hartford Insurance Company of the Midwest, through its counsel of record, the law firm of WRIGHT, FINLAY & ZAK, LLP, that the discovery deadlines in this matter shall be extended ninety (90) days pursuant to LR 26-3. This is the Parties' fifth request for an extension of the discovery deadlines. The Parties set forth the following information in support of their stipulation.

I.

DISCOVERY COMPLETED TO DATE

A. FRCP 26(a) Disclosures and Supplements

<u>Title</u>	<u>Date Served</u>
Plaintiff's Initial Disclosure of Documents and Witnesses Pursuant to FRCP 26(a)(1)	September 28, 2023
Hartford Insurance Company of the Midwest's Initial Disclosure of Witnesses and Documents Pursuant to FED. R. CIV. P. RULE 26.1(a)(1)	September 14, 2023
Hartford Insurance Company of the Midwest's First Supplemental Disclosure of Witnesses and Documents Pursuant to FED. R. CIV. P. RULE 26.1(a)(1)	January 30, 2024
Hartford Insurance Company of the Midwest's Second Supplemental Disclosure of Witnesses and Documents Pursuant to FED. R. CIV. P. RULE 26.1(a)(1)	May 23, 2024
Hartford Insurance Company of the Midwest's Third Supplemental Disclosure of Witnesses and Documents Pursuant to FED. R. CIV. P. RULE 26.1(a)(1)	September 11, 2024
Hartford Insurance Company of the Midwest's Fourth Supplemental Disclosure of Witnesses and Documents Pursuant to FED. R. CIV. P. RULE 26.1(a)(1)	November 15, 2024
Hartford Insurance Company of the Midwest's Fifth Supplemental Disclosure of Witnesses and Documents Pursuant to FED. R. CIV. P. RULE 26.1(a)(1)	November 7, 2024
Hartford Insurance Company of the Midwest's Initial Disclosure of Expert Witnesses	November 8, 2024
Plaintiff Leslie Bakke's Initial Disclosure of Expert Witnesses	November 8, 2024
Hartford Insurance Company of the Midwest's Rebuttal Expert Witnesses and Reports	December 18, 2024
Plaintiff Leslie Bakke's Rebuttal Disclosure of Expert Witnesses	December 20, 2024
Hartford Insurance Company of the Midwest's Sixth Supplemental Disclosure of Witnesses and Documents Pursuant to FED. R. CIV. P. RULE 26.1(a)(1)	January 29, 2025
Plaintiff's First Supplemental Disclosure of Documents and Witnesses Pursuant to FRCP 26(a)(1)	February 21, 2025
Plaintiff's Second Supplemental Disclosure of Documents and	March 3, 2025

Witnesses Pursuant to FRCP 26(a)(1)

B. Written Discovery

<u>Title</u>	<u>Date Served</u>
Hartford Insurance Company of the Midwest's First Set of Interrogatories to Plaintiff	October 6, 2023
Hartford Insurance Company of the Midwest's First Set of Requests for Admissions to Plaintiff	October 6, 2023
Hartford Insurance Company of the Midwest's First Set of Requests for Production of Documents to Plaintiff	October 6, 2023
Plaintiff's Responses to Hartford Insurance Company of the Midwest's First Set of Requests for Production of Documents to Plaintiff	December 22, 2023
Plaintiff's Responses to Hartford Insurance Company of the Midwest's First Set of Requests for Admissions to Plaintiff	December 22, 2023
Plaintiff's Responses to Hartford Insurance Company of the Midwest's First Set of Interrogatories to Plaintiff	December 22, 2023
Plaintiff's First Set of Requests for Production of Documents to Defendant	August 26, 2024
Plaintiff's First Set of Requests for Admissions to Defendant	August 26, 2024
Plaintiff's First Set of Interrogatories to Defendant	August 26, 2024
Defendant's Response to Plaintiff's First Set of Requests for Production of Documents to Defendant	October 15, 2024
Defendant's Response to Plaintiff's First Set of Requests for Admissions to Defendant	October 15, 2024
Defendant's Response to Plaintiff's First Set of Interrogatories to Defendant	October 15, 2024
Defendant's Second Set of Requests for Admissions to Plaintiff	November 20, 2024
Defendant's Second Set of Interrogatories to Plaintiff	November 20, 2024
Defendant's Third Set of Requests for Admissions to Plaintiff	December 5, 2024
Defendant's Third Set of Interrogatories to Plaintiff	December 5, 2024
Bakke's Responses to Defendant's Second Set of Requests for Admissions	January 10, 2025
Bakke's Responses to Defendant's Third Set of Interrogatories	January 10, 2025
Bakke's Responses to Defendant's Third Set of Requests for Production of Documents	January 10, 2025

C. Depositions

<u>Deponent</u>	<u>Date</u>
Plaintiff Leslie Bakke	January 31, 2024
Robert Hamblen	January 27, 2025
Hartford employee Michelle Burrue	January 30, 2025
Hartford employee Will Shade	January 31, 2025

D. Subpoenas Issued

<u>Subpoena</u>	<u>Date</u>
Stanford Healthcare	January 4, 2024

E. Expert Disclosure

<u>Initial Expert Disclosure</u>	<u>Date</u>
Both Sides Served Initial Expert Disclosures	November 8, 2024
Hartford Insurance Company of the Midwest's Rebuttal Expert Witnesses and Reports	December 18, 2024
Plaintiff Leslie Bakke's Rebuttal Disclosure of Expert Witnesses	December 20, 2024
Plaintiff's First Supplemental Disclosure of Documents and Witnesses Pursuant to FRCP 26(a)(1)	February 21, 2025

II.**DISCOVERY TO BE COMPLETED**

1. Plaintiff will take the deposition of the FRCP 30(b)(6) witness for Defendant.
2. Plaintiff will take the deposition of Defendant's medical expert, Dr. Fish.
3. Plaintiff will take the deposition of Defendant's liability expert, Mr. Titus.
4. Defendant will take the deposition of Plaintiff's medical expert, Dr. Oliveri.
5. Defendant will take the deposition of Plaintiff's liability expert, Mr. Zalma.
6. Defendant will take the deposition of Plaintiff's treating physicians.
7. The parties will engage in additional written discovery and notice any additional depositions.

The parties anticipate that they may need to conduct other forms of discovery not specifically delineated herein on an as-needed basis. Therefore, the list outlined above is in no way intended to be a comprehensive list of the outstanding discovery that remains to be completed.

1 III.

2 **REASONS DISCOVERY WAS NOT COMPLETED WITHIN THE TIME LIMITS**
 3 **AND NEEDS TO BE EXTENDED**

4 “[D]istrict courts . . . retain broad discretion to control their dockets . . .” *Shahrokhi v.*
 5 *Harter*, No. 2:21-cv-01126-RFB-NJK, 2021 U.S. Dist. LEXIS 247936, at *4 (D. Nev. Dec.
 6 30, 2021). To prevail on a request to extend discovery deadlines, the parties must establish
 7 good cause. *Johnson v. Mammoth Recreations, Inc.*, 975 F.2d 604, 608-09 (9th Cir. 1992).
 8 “Good cause to extend a discovery deadline exists if it cannot reasonably be met despite the
 9 diligence of the party seeking the extension.” *Las Vegas Skydiving Adventures LLC v.*
 10 *Groupon, Inc.*, No. 2:18-cv-02342-APG-VCF, 2020 U.S. Dist. LEXIS 166073, at *6 (D. Nev.
 11 Sep. 10, 2020) (internal quotations omitted). For the reasons set forth below, the parties
 12 respectfully submit that good cause supports their request for an extension of the close of
 13 discovery, dispositive motions deadline and joint pretrial order deadline.

14 The parties respectfully request an extension of the discovery deadlines in this matter
 15 for several reasons.

- 16 1. The parties intend to depose at least five (5) witness as listed above including four
 17 (4) experts and several treating providers witnesses necessitating extension of the
 18 April 7, 2025 discovery cutoff.
- 19 2. The parties intend to participate in a mediation in hopes of resolving the matter
 20 without incurring the additional costs of taking expert and doctor depositions.

21 An extension of the discovery deadlines will preserve the status quo, and will
 22 minimize the expense of the Parties’ resources and those of the Court until such mediation can
 23 be concluded. *Mediterranean Enterprises, Inc. v. Ssangyong Corp.*, 708 F.2d 1458, 1465 (9th
 24 Cir. 1983). Additionally, it will prevent the risk of the court needlessly expending its energies
 25 to further manage the case when the case may well settle as a result of the parties' own accord
 26 at the upcoming mediation. *Sommers v. Cuddy*, 2013 U.S. Dist. LEXIS 12430 (D.Nev. 2013).
 27 Discovery should be continued as stipulated between the Parties to allow for a full and
 28

complete effort to mediate this dispute. Moreover, as no trial in this matter has been set, the requested extension of discovery does not require a change to any trial date. The Parties jointly request to extend the stay. Neither Party to this lawsuit will be prejudiced by the extension of the deadlines.

IV.

PROPOSED SCHEDULE FOR COMPLETING DISCOVERY

	<u>Current Date</u>	<u>Proposed Date</u>
Amend Pleadings and Add Parties:	Closed	Closed
Initial Expert Disclosures:	Completed	Completed
Rebuttal Expert Disclosures:	Completed	Completed
Close of Discovery:	April 7, 2025	July 7, 2025
Dispositive Motions	May 9, 2025	August 8, 2025
Joint Pretrial Order	May 9, 2025	August 8, 2025

Based on the foregoing, the parties respectfully request this Court grant their Stipulation and Order to Extend the Close of Discovery, Dispositive Motions Deadline, and Joint Pretrial Order Deadline (Fifth Request).

DATED this 7th day of March, 2025.

DATED this 7th day of March, 2025.

By: /s/ David R. Sidran
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 Attorney for Defendant HARTFORD
 INSURANCE COMPANY OF THE
 MIDWEST

ORDER

IT IS SO ORDERED.

Dated this 7th day of March, 2025.


 UNITED STATES MAGISTRATE JUDGE